

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Johnson et al.

Serial No.: To be assigned

Filed: February 13, 2002 (herewith)

For: CAPILLARY ELECTROPHORESIS METHOD
AND APPARATUS FOR REDUCING PEAK
BROADENING ASSOCIATED WITH THE
ESTABLISHMENT OF AN ELECTRIC FIELD

Group Art Unit: 1743

Examiner: Starsiak, J.

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

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February 13, 2002

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Name of Depositing Party

Cheri Guinez

Signature of Depositing Party

JC971 U.S. PRO
10/075404
02/13/02

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a) ☒ accompanies a new patent application submitted herewith.

(b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.

(c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

I declare that the information disclosed herein was not previously disclosed in a patent application filed on or after the filing date or PCT national stage date of entry filing but, as far as is known to the undersigned,

prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) **or** a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the item(s) in Substitute form 1449A PTO is supplied herewith:

☐ each ☒ none ☐ only those listed below:

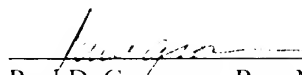
Those patent(s) or publication(s) listed in the attached Substitute form 1449A/PTO are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. 09/361,485, filed July 26, 1999 and relied upon in this application for an earlier filing date under 35 USC §120.

or other information referred to therein is "prior art" for this invention unless specifically designated as such

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: February 13, 2002


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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/075404
		Filing Date	February 17, 2000
		First Named Inventor	Ben S. Hersh
		Group Art Unit	174
		Examiner Name	Chadwick, J.
Sheet 1 of 2	Attorney Docket No.	44-400	

 PTO
 10/075404
 02/13/02

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code* (if known)			
	01	5,236,116		Guttman	03-22-1994	
	02	5,385,654		Kelly et al.	01-31-1995	
	03	5,409,586		Hamahori et al.	04-25-1995	
	04	5,512,158		Cole	04-30-1996	
	05	5,658,446		Yin et al.	08-19-1997	
	06	5,728,282		Bashkin et al.	03-17-1998	
	07	5,885,432		Hooper et al.	03-23-1999	
	08	5,916,426		Madabhushi et al.	06-29-1999	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ²	Number ⁴	Kind Code (if known)				
	09	EPO	0 329 341	A2	Applied Biosystems	08-23-1989		
	10	EPO	0 382 426	A2	Applied Biosystems	08-16-1990		
	11	WO	97/24610	A1	Novartis AG	07-10-1997		
	12	WO	98/10274	A1	The Research Foundation of State University of New York	3-12-1998		
	13	WO	01/07904	A1	The Perkin-Elmer Corp.	07-26-2000		

* Unique citation designation number. (See attached kinds of U.S. Patent Documents.) Enter office that issued the document by the two letter code (e.g., A1) Standard ST 31. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under A-PO Standard ST 15 if possible. Applicant is to place a checkmark in the appropriate box.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T*
	14	KEVIN D. ALTRIA, "Chapter 6: Optimization of Precision in Quantitative Analysis," <i>Methods in Molecular Biology</i> , Vol. 52:61-70 <i>Capillary Electrophoresis</i> (1996).	
	15	HUAN-TJUNG CHANG and EDWARD S. YEUNG, "Voltage Programming in Capillary Zone Electrophoresis," <i>Journal of Chromatography</i> , 632:149-155 (1993).	
	16	HIDEKO INOUE et al., "Enhanced Separation of DNA Sequencing Products by Capillary Electrophoresis Using a Stepwise Gradient of Electric Field Strength," <i>Journal of Chromatography A</i> , 602:179-184 (1993).	
	17	J.H. KNOX and K.A. McCORMACK, "Volume Expansion and Loss of Sample Due to Initial Self-Heating in Capillary Electroreparation (CES) Systems," <i>Chromatographia</i> , Vol. 38, No. 5/6, pp. 279-282 (1994).	
	18	BILLY A. WILLIAMS and GYULA VIGH, "Effect of the Initial Potential Ramp on the Accuracy of Electrophoretic Mobilities in Capillary Electrophoresis," <i>Analytical Chemistry</i> , 67:(17)3079-3081 (1995).	

Considered

FOIA b(7) - Exemption from public release of information. The information requested is exempt from public release under the Freedom of Information Act, 5 U.S.C. 552, because it is: (b)(7) - Exemption from public release of information. The information requested is exempt from public release under the Freedom of Information Act, 5 U.S.C. 552, because it is: